



Law Enforcement Agency Accreditation Council

Meeting 117
December 13, 2018
10:00 am

Division of Criminal Justice Services
Alfred E. Smith State Office Building
80 South Swan Street, Albany, NY 12210
Room 118, Crime Stat Room

AGENDA

- 1. Call to Order, Pledge of Allegiance** *Executive Deputy Commissioner Michael Green*

- 2. Roll Call** *Executive Deputy Commissioner Green*

- 3. Introductions** *Executive Deputy Commissioner Green*

- 4. Certificates of Appreciation** *Executive Deputy Commissioner Green*

Sheriff Philip Povero, Law Enforcement Accreditation Council Member
Chief Marvin Fischer, Law Enforcement Accreditation Council Member and Chairperson

ACTION ITEMS

- 5. Approval of September 2018 Meeting Minutes** *Executive Deputy Commissioner Green*

- 6. Approval of Applications for Accreditation** *Executive Deputy Commissioner Green*

Montgomery County Sheriff's Office
SUNY Police Brockport

- 7. Approval of Applications for Reaccreditation** *Executive Deputy Commissioner Green*

Cattaraugus County Sheriff's Office
Rome City Police Department
Saratoga County Sheriff's Office
Saugerties Town Police Department
Watertown City Police Department

8. Presentation of Certificates

*Executive Deputy Commissioner Green
Sheriff Philip Povero*

Cattaraugus County Sheriff’s Office
Montgomery County Sheriff’s Office
Rome City Police Department
Saratoga County Sheriff’s Office
Saugerties Town Police Department
SUNY Police Brockport
Watertown City Police Department

9. Approval of Annual Compliance Surveys

Accreditation Unit Staff

Albany City Police Department; Brockport Village Police Department; Canton Village Police Department; Chenango County Sheriff’s Office; Colonie Town Police Department; Cortland City Police Department; East Greenbush Town Police Department; Elmira City Police Department; Endicott Village Police Department; Evans Town Police Department; Fairport Village Police Department; Geddes Town Police Department; Genesee County Sheriff’s Office; Gloversville City Police Department; Harriman Village Police Department; Irondequoit Town Police Department; Kingston City Police Department; Livingston County Sheriff’s Office; Middletown City Police Department; North Castle Town Police Department; North Greenbush Town Police Department; Oneida County Sheriff’s Office; Oneonta City Police Department; Orange County Sheriff’s Office; Rotterdam Town Police Department; Suffern Village Police Department; SUNY Police Buffalo; SUNY Police Stony Brook; Syracuse City Police Department; Tonawanda City Police Department; Troy City Police Department; Ulster County Sheriff’s Office; Vestal Town Police Department; Westchester County Department of Public Safety; Yates County Sheriff’s Office

8. Approval of New Assessors

Hilary McGrath

Officer James Condo – East Greenbush Town Police Department
Sergeant Donald Feldman – Canandaigua City Police Department
Lieutenant Martin Ferguson – Onondaga County Sheriff’s Office

9. Approval of Changes to Part 6035

Mrs. McGrath/Accreditation Council

Changes required to Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York, Part 6035, *Procedures for the Accreditation of Law Enforcement Agencies*

10. Approval of Changes to Standard 64.1

Mrs. McGrath/Accreditation Council

Proposed changes to Standard 64.1, Prisoner Transport and Safety

11. Approval of 2019 Meeting Dates

Mrs. McGrath/Accreditation Council

March 7, 2019
June 6, 2019
September 5, 2019
December 5, 2019

INFORMATIONAL ITEMS

12. Program Updates

Accreditation Unit Staff

- Council Members
- Centre Island PD Site Visit

NEW BUSINESS

MOTION TO ADJOURN



Law Enforcement Agency Accreditation Council

NYSACOP Appointments

Chief Gregory J. Austin

Rye Brook Village Police Department
938 King Street
Rye Brook, NY10573

Chief Mark Henderson

Brighton Town Police Department
2300 Elmwood Avenue
Rochester, NY14618

NYSCOP/PCNY Appointment

Sergeant Louis Dini

Suffolk Co. PD

PCNY Appointment

Mr. Richard Wells, President

Police Conference of New York
112 State Street
Albany, New York 12207

NYSSA Appointments

Sheriff Philip Povero

Ontario County Sheriff's Office
74 Ontario Street
Canandaigua, NY 14424

Sheriff Robert Maciol

Oneida County Sheriff's Office
6065 Judd Road
Oriskany, NY 13424

Sheriff Barry Virts

Wayne County Sheriff's Office
7376 Route 31, Suite 1000
Lyons, NY 14489

Academic Appointment

Robert E. Worden, Ph.D

Assoc. Professor, University at
Albany
221C Draper Hall
135 Western Avenue
Albany, New York 12222

NYS Conference of Mayors

Mayor Robert M. Palmieri

City of Utica
1 Kennedy Plaza
Utica, NY 13502

NYS Association of Towns

Supervisor Edmond J. Theobald

Town of Manlius
301 Brooklea Drive
Fayetteville, NY, 13066

Senate Appointment

Chief (Retired) Charles Koenig

Ballston Spa Village Police Department

Ex-Officio Members

Superintendent George P. Beach, II

New York State Police
State Campus - Building #22
Albany, New York 12226-2252

Commissioner James O'Neill

New York City Police Department
One Police Plaza
New York, New York 10038

4 Vacancies:

NYSACOP Appointment - 1
Assembly Appointment - 1
NYS Association of Counties - 1
NYSSA/NYSDA Appointment - 1



Law Enforcement Agency Accreditation Council

**Minutes of the 116th Meeting held on September 6, 2018
Alfred E. Smith Office Building, Room 118
80 South Swan Street, Albany, NY 12210**

1. Call to Order, Pledge of Allegiance

Division of Criminal Justice Services Executive Deputy Commissioner Michael Green called the 116th meeting of the council to order at 10:03 a.m. on September 6, 2018. After the Pledge of Allegiance, Commissioner Green asked for a moment of silence to honor the members of law enforcement and the armed services who have died since the December meeting.

2. Roll Call

COUNCIL MEMBERS PRESENT:

Chief Gregory Austin - Rye Brook Village Police Department
Superintendent George P. Beach, II – New York State Police
Sergeant Louis Dini – Suffolk County Police Department, PCNY
Chief (Retired) Charles Koenig – Retired, Ballston Spa Village Police Department
Sheriff Robert Maciol – Oneida County Sheriff's Office
Mayor Robert Palmieri - City of Utica
Sheriff Philip Povero - Ontario County Sheriff's Office
Sheriff Barry Virts – Wayne County Sheriff's Office
Mr. Richard Wells – Police Conference New York
Robert E. Worden, Ph.D. – University at Albany

COUNCIL MEMBERS ABSENT:

Chief Marvin Fischer (Chairperson) – SUNY Police Farmingdale
Chief Mark Henderson – Brighton Town Police Department
Commissioner James O'Neill - New York City Police Department
Supervisor Edmond Theobald – Town of Manlius

OTHER MEETING PARTICIPANTS:

Chief James Secreto – New York City Police Department (*Voting for Commissioner O'Neill*)

3. Introductions

DIVISION OF CRIMINAL JUSTICE SERVICES STAFF

Michael C. Green, Executive Deputy Commissioner – DCJS
Michael Wood, Deputy Commissioner - Office of Public Safety (OPS)
Johanna Sullivan, Director - OPS

Lisa Marie Coppolo, Esq., Counsel - Office of Legal Services
Todd Murray - Supervisor of Public Safety Programs – OPS
Hilary McGrath, Program Manager - OPS Accreditation Unit
Michael McDonough - OPS Accreditation Unit
Ashley Onorati - OPS Accreditation Unit

OTHER GUESTS

Lieutenant Colonel Robert Nuzzo – New York State Police
Cynthia Povero – Ontario County

REPRESENTATIVES FROM APPLICANT AGENCIES

Cicero Town Police Department

Town Supervisor Mark Venesky
Chief John Snell
*Sergeant Steven Amyot
Sergeant James Meyers

Mount Pleasant Town Police Department

Chief Paul Oliva

Niagara Falls City Police Department

Chief Bryan DalPorto
*Lieutenant Ronald Cirrito

Onondaga County Sheriff's Office

Undersheriff Jason Cassalia
Chief Police Deputy Joseph Ciciarelli
Lieutenant Crayg Dykes
Lieutenant Martin Ferguson
*Deputy Taryn Earl

Oswego City Police Department

Chief Tory DeCaire
*Lieutenant Craig Bateman
Lieutenant Charles Searor

Southampton Town Police Department

Captain Lawrence Schurek
*Sergeant Michael Joyce

Southampton Village Police Department

Chief Thomas Cummings
*Lieutenant Suzanne Hurteau
Lieutenant Chris Wetter
Detective Kim McMahon

West Seneca Town Police Department

Chief Daniel Denz
Captain Edward Baker

Yonkers City Police Department

Captain Patrick Rooney
*Lieutenant Joseph Recine

*Denotes Agency Program Manager in Attendance

ACTION ITEMS

4. Approval of the June 2018 Meeting Minutes

Sheriff Maciol made a motion to adopt the minutes of the June 7th, 2018 council meeting. Superintendent Beach seconded the motion. *Motion carried – 11 ayes, 0 nay*

5. Approval of Applications for Reaccreditation

Cicero Town Police Department – Chief Austin made a motion to reaccredit the agency, and Superintendent Beach seconded the motion. *Motion carried – 11 ayes, 0 nay*

Mount Pleasant Town Police Department – Sheriff Povero made a motion to reaccredit the agency and Mr. Wells seconded the motion. *Motion carried – 11 ayes, 0 nay*

Niagara Falls City Police Department – Mr. Wells made a motion to reaccredit the agency, and Mayor Palmieri seconded the motion. *Motion carried – 11 ayes, 0 nay*

Onondaga County Sheriff's Office – Sheriff Povero made a motion to reaccredit the agency, and Superintendent Beach seconded the motion. *Motion carried – 11 ayes, 0 nay*

Oswego City Police Department – Mayor Palmieri made a motion to reaccredit the agency and Mr. Wells seconded the motion. *Motion carried – 11 ayes, 0 nay*

Rye City Police Department – Sheriff Povero made a motion to reaccredit the agency, and Chief Austin seconded the motion. *Motion carried – 11 ayes, 0 nay*

Southampton Town Police Department – Superintendent Beach made a motion to reaccredit the agency, and Sergeant Dini seconded the motion. *Motion carried – 11 ayes, 0 nay*

Southampton Village Police Department – Mr. Wells made a motion to reaccredit the agency, and Sergeant Dini seconded the motion. *Motion carried – 11 ayes, 0 nay*

Tonawanda Town Police Department – Mr. Wells made a motion to reaccredit the agency, and Mayor Palmieri seconded the motion. *Motion carried – 11 ayes, 0 nay*

West Seneca Town Police Department – Sheriff Virts made a motion to reaccredit the agency, and Mr. Worden seconded the motion. *Motion carried – 11 ayes, 0 nay*

Yonkers City Police Department – Superintendent Beach made a motion to reaccredit the agency, and Mr. Wells seconded the motion. *Motion carried – 11 ayes, 0 nay*

6. Presentation of Certificates of Reaccreditation

Cicero Town Police Department – Chief John Snell accepted the Certificate of Accreditation, and the John Kimball O'Neil Certificate of Achievement was awarded to Sergeant Steven Amyot as the program manager.

Mount Pleasant Town Police Department – Chief Paul Oliva accepted the Certificate of Accreditation and the John Kimball O'Neil Certificate of Achievement on behalf of the program manager, Lieutenant Sean Forde.

Niagara Falls City Police Department – Chief Bryan DalPorto accepted the Certificate of Accreditation, and the John Kimball O’Neil Certificate of Achievement was awarded to Lieutenant Ronald Cirrito as the program manager.

Onondaga County Sheriff’s Office – Undersheriff Jason Cassalia accepted the Certificate of Accreditation, and the John Kimball O’Neil Certificate of Achievement was awarded to Deputy Taryn Earl as the program manager.

Oswego City Police Department – Chief Tory DeCaire accepted the Certificate of Accreditation, and the John Kimball O’Neil Certificate of Achievement was awarded to Lieutenant Craig Bateman as the program manager.

Rye City Police Department – The department was unable to send representatives to the meeting.

Southampton Town Police Department – Captain Lawrence Schurek accepted the Certificate of Accreditation, and the John Kimball O’Neil Certificate of Achievement was awarded to Sergeant Michael Joyce as the program manager.

Southampton Village Police Department – Chief Thomas Cummings accepted the Certificate of Accreditation, and the John Kimball O’Neil Certificate of Achievement was awarded to Lieutenant Suzanne Hurteau as the program manager.

Tonawanda Town Police Department – the department was unable to send representatives to the meeting.

West Seneca Town Police Department – Chief Daniel Denz accepted the Certificate of Accreditation, and the John Kimball O’Neil Certificate of Achievement on behalf of the program manager, Assistant Chief Michael Boehringer.

Yonkers City Police Department – Captain Patrick Rooney accepted the Certificate of Accreditation, and the John Kimball O’Neil Certificate of Achievement was awarded to Lieutenant Joseph Recine as the program manager.

At 10:35 am, Commissioner Green announced that there would be a break in the meeting so visitors would have an opportunity to excuse themselves if necessary.

The meeting reconvened at 10:45 am.

7. Approval of Annual Compliance Surveys

The following reports were submitted for approval for the second quarter of 2018:

Beacon City Police Department; Bedford Town Police Department; Bethlehem Town Police Department; Brighton Town Police Department; Broome County Sheriff’s Office; Centre Island Village Police Department; Chautauqua County Sheriff’s Office; Columbia County Sheriff’s Office; Cornwall Town Police Department; Guilderland Town Police Department; Johnson City Village Police Department; Lancaster Town Police Department, Manlius Town Police Department; Ogden Town Police Department; Ossining Village Police Department; Oswego County Sheriff’s Office; Peekskill City Police Department; Scarsdale Village Police Department; Seneca Falls Town Police Department; Suffolk County Sheriff’s Office; Tuckahoe Village Police Department; Utica City Police Department; Warren County Sheriff’s Office; Waterford Town & Village Police Department; Yorktown Town Police Department

Mayor Palmieri made a motion to accept the Annual Compliance Surveys received, and Sergeant Dini seconded the motion. *Motion carried – 11 ayes, 0 nay*

8. Approval of New Assessor

Applications were received from one individual applying to be a program assessor for the first time:

Lieutenant (Retired) James Picchi – Geneva Police Department

Hilary McGrath noted that all applications for assessor are vetted for qualifications prior to be presented to the Council. If an applicant is not eligible, their name is not put before the Council.

Sheriff Povero made a motion to accept the individual listed as a new assessor. Sheriff Virts seconded the motion.
Motion carried – 11 ayes, 0 nay

9. Agency Request for a Waiver

Ms. McGrath noted that the Centre Island Village Police Department had indicated they were out of compliance with Standard 13.1, Performance Evaluation System and were requesting that the standard be officially waived by the Council for their agency.

The Council did not act to vote on the waiver since there was not a 2/3 majority present, but the Council members present indicated that they would not be in favor of issuing a waiver for this standard.

There was discussion among council members regarding the agency's non-compliance and how a collective bargaining agreement would affect their need to comply with the standard. Mrs. McGrath explained that agencies are not expected to meet this standard if there is a written collective bargaining agreement in place that prohibits the use of performance evaluations, but that an informal prohibition was not enough to satisfy that requirement.

The Council decided that they would send the chief of the department a letter indicating that the agency would be required to provide to the council either: proof that performance evaluations could not be conducted due to a collective bargaining agreement; or a performance evaluation instrument that will be used to immediately begin conducting performance evaluations on members of the department. The Council agreed that the matter would be re-visited at the December council meeting.

Superintendent Beach made a motion that the Council would send a letter to the Centre Island Police Department outlining what would be required for them to come into compliance with Standard 13.1 by the December meeting. Chief Austin seconded the motion.
Motion carried – 11 ayes, 0 nay

INFORMATIONAL ITEMS

10. Program Updates

Assessor and Program Manager Training: One final Program Manager Training is being held in Albany on September 27th and one final Assessor training is being held in Albany on September 28th, totaling 4 program manager trainings and three assessor trainings held this year. The trainings have been extremely well attended and well received since Mike McDonough, a member of the DCJS Accreditation Unit, began providing the training. Having the training provided by staff allows us to focus on the areas we have found to be problematic and has given the Accreditation Unit the flexibility to provide the courses more often.

Accreditation Survey: Mrs. McGrath informed the Council that the accreditation survey developed to obtain information that will provide guidance in the unit's efforts to further promote the program was released and will be closed soon. So far, almost 200 responses have been submitted. The DCJS Office of Justice Research and Performance will be compiling the responses into useful information.

2018 NYSSA Law Enforcement Supervisor's Training Conference Presentation – Hilary McGrath and Michael McDonough will be providing a half hour presentation on the Accreditation Program at the conference on September 12th. This presentation is part of the 2018 goal of enhancing awareness of the program.

2019 Meeting Dates – the following dates were offered as informational. The 2019 meeting dates will be voted on at the December meeting.

March 6
June 5
September 4
December 4

Council Members – Mrs. McGrath noted that joint Sheriff's Association/Deputy Sheriff's Association seat was now vacant due to a resignation, leaving three seats currently vacant on the Council. A new list will be provided to Council members. There was further discussion about the process used for filling and renewing council member seats. Mrs. McGrath indicated that DCJS staff work diligently to stay current with nominations, but it is a complex process that involves getting nominations from the nominating entities and then getting approval from the Governor's office. Executive Deputy Commissioner Green assured council members that those whose terms

have expired are considered in “holdover status” and continue to be full and active members of the council until they are reappointed or replaced.

NEW BUSINESS

None

ADJOURNMENT

There being no other business, Mr. Wells made a motion to adjourn the meeting. Superintendent Beach seconded the motion, which was passed unanimously. The meeting was adjourned at 11:10 am.

The next meeting of the Law Enforcement Accreditation Council is on December 13, 2018 at 10:00 am in Room 118 of the Alfred E. Smith Office building.

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